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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/623,643 | 09/06/2000 | Gerrit W. Den Besten | PHD 99-001 | 6287 |

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

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| EXAMINER |
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CAO, CHUN

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| ART UNIT | PAPER NUMBER |
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2115

DATE MAILED: 06/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/623,643

Applicant(s)

DEN BESTEN ET AL.

Examiner

Chun Cao

Art Unit

2115

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

FINAL REJECTION

1. Claims 1-6 are presented for examination. Claims 5-6 are newly added claims.
2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The current title is imprecise.
3. The text of those applicable section of Title 35, U.S. Code not included in this action can be found in the prior Office Action.
4. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

(a) TITLE OF THE INVENTION.

(b) CROSS-REFERENCE TO RELATED APPLICATIONS.

(c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR
DEVELOPMENT.

(d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A
COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer
program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)),
and tables having more than 50 pages of text are permitted to be
submitted on compact discs.) or

REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a).

"Microfiche Appendices" were accepted by the Office until March 1, 2001.)

(e) BACKGROUND OF THE INVENTION.

(1) Field of the Invention.

(2) Description of Related Art including information disclosed under 37
CFR 1.97 and 1.98.

(f) BRIEF SUMMARY OF THE INVENTION.

(g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).

(h) DETAILED DESCRIPTION OF THE INVENTION.

(i) CLAIM OR CLAIMS (commencing on a separate sheet).

(j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).

(k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A

"Sequence Listing" is required on paper if the application discloses a
nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if
the required "Sequence Listing" is not submitted as an electronic
document on compact disc).

Claim Objections

5. Applicant is advised that should claim 4 be found allowable, claim 5 will be
objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two
claims in an application are duplicates or else are so close in content that they both
cover the same thing, despite a slight difference in wording, it is proper after allowing

one claim to object to the other as being a substantial duplicate of the allowed claim.
See MPEP § 706.03(k).

Claim Rejections - 35 U.S.C. § 112

6. Claims 1 and 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a). The following term lacks proper antecedent basic:

claim 1, line 6, "the data carrier"; lines 10-11, "the supply of energy";

claim 6, lines 2-3, "the data carrier" both occurrence.

7. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Connell et al. (Connell), US patent no. 5,998,978.

As per claim 1, Connell discloses a mobile data carrier [figs. 3, 4] comprising:

A data-processing circuit [112, fig. 3]; and

A supply unit to apply electric energy to power supply terminals [106, 108, fig. 2] for operating the data-processing circuit from an external energy source [col. 5, lines 17-18] and controlling voltage and current at external access points of the mobile data carrier [col. 4, lines 1-40], wherein the supply unit including:

a voltage-limiting control circuit [308, fig. 3] arranged in parallel to the power supply terminals of the data-processing circuit [col. 3, lines 16-19], and

a current control device [304, figs. 3, 4] which, with respect to the supply of electric energy to the data-processing circuit, is arranged in series with the parallel arrangement of the voltage-limiting control circuit and the data-processing circuit [col. 4, lines 8-12; col. 6, lines 8-12].

As per claim 2, Connell discloses that the current control device is adapted to supply an at least substantially load-independent supply current [col. 4, lines 38-53, the decoupling device is substantially independent of the voltage fluctuations that occur due to the activity of the signal processor 112], and in that the voltage-limiting control circuit is adapted to take up an excess current which, with respect to the power supply current, is complementary to a power supply current taken up by the data-processing circuit at the power supply terminals [col. 3, lines 36-40; col. 4, lines 55-66].

As per claim 3, Connell discloses that the supply current supplied by the current control device is at least substantially controlled in dependence upon only one voltage supplied by the external energy source [fig. 4; col. 4, lines 23-40; the decoupling device is controlled by Vdd].

As to claims 4 and 5, Connell discloses that the data-processing circuit is implemented with asynchronously operating logic elements whose signal-processing rate is dependent on a power supply voltage applied to the power supply terminals of the data-processing circuit [col. 3, lines 22-25].

As per claim 6, Connell discloses that the voltage and current at external access points of the mobile data carrier are constant during operation of the data mobile carrier [col. 3, lines 36-44; col. 4, lines 41-51].

Art Unit: 2115

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Hand-delivered responses should be brought to Crystal Park II, 2121

Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun Cao at (703) 308-6106. The examiner can normally be reached on Monday-Friday from 7:30 am - 4:00 pm. If attempts to reach the examiner by phone are unsuccessful, the examiner's supervisor Thomas Lee can

Art Unit: 2115

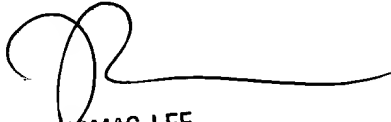
be reached at (703) 305-9717. The fax number for this Art Unit is following: Official (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 306-5631.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chun Cao

June 21, 2004



THOMAS LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100